

Industry Assessments
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

By email: Jeffrey.peng@planning.nsw.gov.au

**Re: Liverpool City Council's Review of Response to Submissions for SSD-10446,
275 Adams Road, Luddenham**

State Significant Development - SSD 10446 – Development of an advanced resource recovery facility warehouse and associated external works including a link road to the site at 275 Adams Road, Luddenham NSW 2745.

Attention: Jeffrey Peng

Thank you for the opportunity to comment on the proponent's response to submissions for a proposed resource recovery facility. It is noted that Council previously reviewed and commented on the proponent's response to submissions in June 2021, and this submission should be read in conjunction with that submission.

Council officers have reviewed the documentation on the planning portal (including relevant appendices) and provided comments outlined in this submission. Please refer to the detailed submission, which has been separated into concerns and comments/recommendations regarding the proposed development.

It is requested that the Department considers the following comments raised by Council into consideration during the assessment of this application:

Traffic and Transport

Traffic demand forecast

1. The forecast traffic flows along Elizabeth Drive appear to be underestimated according to the forecast car trips in Western Sydney Aerotropolis Transport Planning and Modelling Stage 2 report. It does not reflect the forecast 46,280 vehicular trips generated from the Western Sydney Airport (WSA) and the aerotropolis precincts. Confirmation is required with regard to the assumptions used in the adopted STFM outputs.
2. It is noted that the 100% Elizabeth Drive West upgrade design shows that the intersection Elizabeth Drive/Adams Road will be restricted to left in only for light vehicles. The addendum TIA report only includes two scenarios: all traffic access from Elizabeth Drive and evenly traffic distributions between Elizabeth Drive and The Northern Road. The TIA has not assessed a scenario that all heavy vehicles generated from the subject site will be via The Northern Road only. Hence, additional traffic scenario is to be included in the report which assumes that the

most traffic to/from the subject site will be via The Northern Road when the left in only restriction is in place at the intersection of Elizabeth Drive/Adams Road.

Intersection analysis

3. Elizabeth Drive is a classified road. TfNSW approval is required for the following proposed interim treatments at the intersection of Elizabeth Drive/Adams Road prior to the determination:
 - a) Provision of a 90 m deceleration left-hand turn lane into Adams Road;
 - b) Provision of a short left-hand turn land on Adams Road into Elizabeth Drive; and
 - c) Removal of the right-hand turn from Elizabeth Drive west into Adams Road.

As the intersection of Elizabeth Drive/Adams Road will be restricted to left in only for light vehicle, Council recommends that this intersection be restricted to left in/left out only for the operation of ARCC.

4. Traffic survey data at the intersection of The Northern Road/Adams Road was collected during the construction of The Northern Road upgrade in 2019. It appears that the survey data was collected at the Old Northern Road/Adams Road intersection instead of the upgraded The Northern Road intersection as the survey data indicates that the intersection is a T-intersection instead of a four-way intersection. Clarification is required with regard to the survey data.
5. In addition, SIDRA model analysis indicates that only 1 through vehicle on either approach of Adams Road at its intersection of The Northern Road is assumed in the model. An updated survey data and the forecast demand as part of the Northern Road upgrade EIS are to be used to recalibrate traffic demands at the newly upgraded intersection of The Northern Road/Adams Road. The forecast traffic volume at this intersection is to include the forecast freight movements to access the fuel farm in the WSIA.
6. As requested previously, intersection treatment at Adams Road/the site access is to be modelled and confirmed with Council.

Anton Road upgrade

7. Due to the planned Elizabeth Drive/Adams Road intersection upgrade design, all heavy vehicles to/from the subject site will be via Adams Road, south to the subject site. Hence, the section of Adams Road between the site access and Anton Road is to be upgraded to cater for the heavy vehicle movements. It is noted that most heavy vehicles will be 30t load PBS vehicles. Pavement design for the upgraded Adams Road south section must be catered for the forecast freight vehicle movements. The design layout of Adams Road upgrade between the site access and Anton Road is to be submitted to Council for review.
8. Street lighting shall be provided along Adams Road between The Northern Road and the site access road.
9. There is an existing 3 tonnes load limit along Adams Road, south to the subject site. The proposed removal of the 3 tonnes load limit must be submitted to Council's Pedestrian, Active Transport and Traffic Committee for endorsement.

10. An approval for the proposed PBS route along Adams Road, south to the subject site is required from NHVR.

Access road

11. Design of the proposed access road and its intersection with Adams Road are to be submitted to Council for review. Consideration is to be given to provide truck parking area along this road to cater for future warehousing developments.

As a result of the above, a revised TIA report is to be submitted to Council for review, which includes (but not being limited):

- a) Additional modelling scenario that all heavy vehicles generated from the subject site will be via The Northern Road and Adams Road, south to the subject site;
- b) Clarification on the forecast demands and modelling assumptions along Elizabeth Drive, The Northern Road and Adams Road;
- c) Revised SIDRA analysis based on the updated traffic distribution assumptions;
- d) Intersection analysis of Adams Road/the site access road to confirm the required intersection treatments;
- e) TfNSW in principle approval to the proposed interim intersection upgrade at the Elizabeth Drive/Adams Road intersection;
- f) Design of the site access road and its intersection with Adams Road; and
- g) Design of Adams Road upgrade between the site access road and Anton Road.

Flood Mitigation, and Treatment of Stormwater

Council officers are generally satisfied with the proponent's response to the application. However, it is requested that the Department considers the following requirements during the assessment of this application:

12. All stormwater generated within the site to be treated prior to discharging to the receiving water body (Oaky Creek).
13. Processing of waste materials including recycled product to be carried out within an enclosed warehouse. All dirty water generated from the processing will be captured within a leachate tank, treated in a treatment plant within the site and reuse for site activities. No untreated dirty water or treated dirty water to be discharged to the receiving water bodies.

Environmental Impact

On-site Sewerage Management System (OSMS)

14. The Submission Report prepared by EMM Consulting dated 27th May 2021 did not specifically address requirements for the on-site sewerage management system. Despite the limited information available, Clause 4.1.6 of the document explains that the wastewater system would require pumping out on a monthly basis.

Section 15, Part 1 of the Liverpool Development Control Plan 2008 states that 'development or subdivision proposals relying on pump-out systems will not be approved by Council. Pump-out systems are not considered to be economically or environmentally sustainable systems due to the high costs associated with the removal of effluent which can result in unauthorised discharge into the environment'. Furthermore, proposals relying on on-site sewage management will not be approved where a reticulated sewerage service is available within 75m of any property boundary.

In accordance with Section 68 of the Local Government Act 1993, separate approval is required to install, construct or alter a waste treatment device and operate a system of sewage management at the premises. Council's Environmental Health Section previously requested for the SEARs to require a wastewater report prepared by a suitably qualified and experienced environmental or wastewater consultant. The report shall identify the site area available for development and determine if on-site effluent disposal is feasible when considering potential risks to public health and the environment. The report was to consider all potential wastewater flows (proposed and existing flows) and be prepared by an Environmental Scientist or Engineer with a minimum of a bachelor's degree qualification and extensive industry experience within an on-site sewage management context. Note: There is currently no certification body for this field.

Development proposed to rely on any form of on-site sewage management, and/or on properties not currently connected to Sydney Water's reticulated sewerage service, shall incorporate the provisions of Council's On-site Sewage Management Standard. Liverpool City Council's 'On-Site Sewage Management Standard' adopted 28th April 2021 is available on Council's website and provides additional information relevant to this Application.

Appropriate Regulatory Authority

15. Schedule 1 of the Protection of the Environment Operations Act 1997 declares premises-based activities regulated by the NSW Environment Protection Authority. Any future Application must be reviewed in consultation with the NSW Environment Protection Authority as the Applicant indicated that the proposal is Integrated Development and will require an Environment Protection Licence for scheduled activities.

In these circumstances, approval must be obtained from the NSW EPA before consent can be granted. The consent authority must refer the development application to the relevant public authority and incorporate the public authority's general terms of approval.

Site Regulation

16. Council wishes to highlight the following key points regarding the proposed development:
 - a) The Department will have primary responsibility for assessing compliance with conditions of consent in relation to environmental emissions (i.e. noise, air, water, land) during the construction and operational phases of the project;

b) The NSW EPA will be the Appropriate Regulatory Authority for the proposed development under the Protection of the Environment Operations Act 1997; and

c) Comprehensive compliance monitoring initiatives that incorporate both qualitative and quantitative measures must be incorporated in the proposed development. It is strongly believed that data collected using quantitative methods for the duration of construction and operational phases of the Project would assist with determining compliance with any future Approval and encourage environmental best practice.

The proponent confirmed that an Operational Environmental Management Plan (OEMP) will be prepared for the proposed facility prior to commencement of operations. The NSW Department of Planning, Industry and Environment and NSW EPA must ensure that conditions imposed on any future approval and Environment Protection Licence offer adequate protection for human health and the environment.

Biodiversity Development Assessment Report (BDAR)

17. Council officers are generally satisfied with the proponent's response to the application. However, it is requested that DPIE considers the following requirement during the assessment of this application:

a) All avoidance, minimisation, mitigation and offset measures specified in the proponent's Biodiversity Development Assessment Report (BDAR) should be adhered to.

CONCLUDING REMARKS

Overall, Council supports the proposed resource recovery facility at 275 Adams Road, Luddenham NSW 2745. However, it is requested that the advice provided above be taken into consideration in the assessment of the proposed development in conjunction with the matters raised in previous submissions to the Department.

Should you wish to discuss this matter further, please contact Kevin Kim, Acting Principal Planner of Development Assessment on (02) 8711 7896.

Yours sincerely,



Kevin Kim
Acting Principal Planner
Development Assessment